

Message

From: McGill, Thomas [Mcgill.Thomas@epa.gov]
Sent: 1/7/2020 5:54:19 PM
To: Laycock, Kelly [Laycock.Kelly@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Thanks Kelly, that's helpful.

From: Laycock, Kelly <Laycock.Kelly@epa.gov>
Sent: Tuesday, January 7, 2020 12:33 PM
To: McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Ex. 5 Deliberative Process (DP)

Kelly Laycock
Wetlands Regulatory Section
U.S. Environmental Protection Agency
61 Forsyth St.
Atlanta GA, 30303
phone 404 562 9132

From: McGill, Thomas <Mcgill.Thomas@epa.gov>
Sent: Tuesday, January 7, 2020 12:29 PM
To: Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Kelly — Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Thanks. Tom

From: Laycock, Kelly <Laycock.Kelly@epa.gov>
Sent: Tuesday, January 7, 2020 10:58 AM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Hurlb, Kathy <Hurlb.Kathy@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>
Cc: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Ex. 5 AC/DP

Kelly Laycock
Wetlands Regulatory Section
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phone 404 562 9132

From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Tuesday, January 7, 2020 10:51 AM
To: Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>
Cc: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Ex. 5 AC/DP

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Sent: Tuesday, January 07, 2020 9:55 AM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>
Cc: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Ex. 5 AC/DP

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Tuesday, January 07, 2020 9:50 AM
To: Laycock, Kelly <Laycock.Kelly@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>
Cc: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Ex. 5 Attorney Client (AC)

From: Laycock, Kelly <Laycock.Kelly@epa.gov>
Sent: Tuesday, January 7, 2020 9:32 AM
To: Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

I just got off the phone with Heather at FDEP and have a bit of an update on the Bio-Op but unless others have input I believe I can summarize here and free people up instead of a call today.

Heather indicated that DOI has requested to form a workgroup with NMFS, USFWS, and FDEP to ensure the Bio-Op process runs smoothly. There was an attempt to organize a call with this group prior to the Holidays but it fell through and Heather expects one to be schedule in the very near future. Until that time she had no further updates on the process but indicated she would reach out as soon as the initial call happens. She did mention that they had no publication date for their Rules because they wanted to be sure this process wouldn't require any changes.

Heather said that her team is still working on the assumption package but her entire team is in delineation training this week so there are no updates on that front either.

Our first bi-weekly call with FDEP is scheduled for Jan 28 and FDEP believes that an in-person meeting would probably be most beneficial if pushed until at least February.

Kelly Laycock
Wetlands Regulatory Section
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Atlanta GA, 30303
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From: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Sent: Tuesday, January 7, 2020 9:17 AM
To: Calli, Rosemary <Calli.Rosemary@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Laycock, Kelly <Laycock.Kelly@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Sorry, I did not get this message late yesterday. My thought is we may want to spend 10 min to figure out where the Bio-Op is and so we all have a common understanding of the process and next steps. Not sure I know what the process and status of the consultation on FL's program are.

From: Calli, Rosemary <Calli.Rosemary@epa.gov>
Sent: Monday, January 06, 2020 3:57 PM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Laycock, Kelly <Laycock.Kelly@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

Hi, folks – I don't personally have any updates on ESA, and it sounds like the criminal enforcement matter may not have any updates. I'll throw the question back out to the group – do any of you have updates that would be helpful to share with the group?

Please let at least Kelly and myself know today, and we can cancel the call by 9 am tomorrow if there's no reason to meet.

Thanks,
Rosemary

Rosemary (Hall) Calli
Section Chief, Wetlands & Streams Regulatory Section
Aquatic Ecotoxicologist
U.S. Environmental Protection Agency, Region IV

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From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Monday, January 6, 2020 1:29 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Laycock, Kelly <Laycock.Kelly@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

I can attend if we need to discuss ESA.

Alexis Wade
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From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Monday, January 06, 2020 1:27 PM
To: Calli, Rosemary <Calli.Rosemary@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Laycock, Kelly <Laycock.Kelly@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: Internal EPA coordination re: Florida 404 assumption

I'm sorry, but I will not be able to join the call tomorrow. I'd be glad to catch up later in the week on any OGC issues.

Will you be discussing ESA issues? If so, Alexis, are you free to join?

Re: criminal intent – I believe Kathy has submitted a meeting request to OW leadership, and we have not yet heard back. (I think OW leadership is fully focused on WOTUS for the next two weeks.)

Simma Kupchan
EPA Office of General Counsel

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202-564-3105

-----Original Appointment-----

From: Calli, Rosemary <Calli.Rosemary@epa.gov>

Sent: Friday, October 27, 2017 11:44 AM

To: Kupchan, Simma; Calli, Rosemary; McGill, Thomas; Parker, Christopher; Hurlid, Kathy; Hicks, Matt; Speir, Jeffrey;

Ex. 6 Personal Privacy (PP)

Cc: Morgan, James; Ghosh, Mita; Frazer, Brian; Eisenberg, Mindy; Laycock, Kelly; Nagrani, Kavita; Wade, Alexis

Subject: Internal EPA coordination re: Florida 404 assumption

When: Tuesday, January 7, 2020 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: call-in: **Ex. 6 Personal Privacy (PP)** bde: **Ex. 6 Personal Privacy (PP)**

Updated call-in: **Ex. 6 Personal Privacy (PP)** code **Ex. 6 Personal Privacy (PP)**

Topics/Agenda items will be provided in advance.

In general this meeting is to:

- provide internal updates on progress on Florida's efforts to assume a 404 program, and
- prepare for the subsequent (every other Tuesday afternoon) call with Florida FDEP.